IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

APPEAL NO. 715 OF 2005

IN

SUIT NO.1172 OF 2005

Vikas Kamalakar Walawalkar. ...Appellant.

Vs.

The Deputy Salt Commissioner & Ors...Respondents.

....

Mr.Aspi Chinoy, Sr.Advocate with Mr. S.S.Pakale and Mr.V.R.Dhond i/b. Mahimtura & Co. for the Appellant.

Mr.B.A.Desai, Addl.Solicitor General with Mr. S.R.Rajguru and Mr. A.M.Sethna for the Respondents.

.....

CORAM : F.I.REBELLO AND

DR.D.Y.CHANDRACHUD,JJ.

September 27, 2005.

P.C.:

Heard the Learned Counsel for the parties. For the order to be passed, parties agree

that no reasons be given. The impugned order dated 22nd August 2005 is set aside. We make it clear that we have not decided the merits of the matter and leave it open to the Learned Single Judge to decide the Notice of Motion on merits according to law.

In the meantime, the ad-interim order granted on 27th April 2005 to continue till hearing and final disposal of the Notice of Motion.

Considering the issues involved, we request the Learned Single Judge to dispose of the Motion at the earliest. Parties to apply.

Appeal is accordingly disposed of.

(F.I.Rebello, J.)

(Dr.D.Y.Chandrachud, J.)